

1059 U.S. PTO  
02/06/02

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R.  
§1.53(b)

Attorney Docket: 381AS/49702DV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1057 U.S. PTO  
10/066760  
02/06/02

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

February 6, 2002

Sir:

This is a request for filing a \_\_\_ continuation or X divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/793,402  
Filed on February 27, 2001  
Of Yoichi IIHOSHI et al  
Entitled EMISSION CONTROL DEICE FOR CYLINDER  
FUEL INJECTION ENGINE  
Examiner: TU MINH NGUYEN  
Group: 3748  
Batch No: \_\_\_\_\_

- X 1. Accompanying this order is a true copy of the prior application as originally filed. Total pages 29, plus 24 sheets of drawings showing Figures 1-26.
- \_\_\_ 2. New formal drawings are being filed herewith consisting of \_\_\_ sheets, depicting Figures \_\_\_.
- X 3. Declaration and Power of Attorney:
- a. \_\_\_ Newly executed (original or copy)
- b. X Copy from prior application
- i. \_\_\_ Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

X 5. Cancel original claims 1-6 and 11.

    6. Small entity status:

a.     A small entity statement is enclosed

b.     A statement of small entity status (copy attached) was filed on            in the prior application and status as a small entity is still proper and desired.

c.     Is no longer claimed

X 7. The filing fee is calculated below:

CLAIMS AS FILED, INCLUDING ANY CLAIMS  
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee									\$370	\$740
Total Claims	<u>4</u>	-	20	=	<u>0</u>	x 9	=	\$	<u>18</u>	= \$ <u>0</u>
Ind. Claims	<u>1</u>	-	3	=	<u>0</u>	x 42	=	\$	<u>84</u>	= \$ <u>0</u>
<u>   </u> Multiple Dependent Claims									+ 140 = \$	<u>280</u> = \$
									Total	\$ <u>   </u> \$ <u>740</u>

    8. Please charge my Deposit Account No. 05-1323 (Docket #       ) in the amount of \$    .

X 9. A check in the amount of \$ 740.00 to cover the filing fee is enclosed.

X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket # 381AS/49702DV).

X 11. Amend the specification by inserting before the first line the sentence:  
This application is a divisional of application Serial No. 09/793,402, filed February 27, 2001.--

X 12. Priority of Appln. No. 2000-101178, filed in Japan on March 31, 2000 is hereby claimed under 35 U.S.C. 119.

X 13. A certified copy of each said priority document was filed in application Serial No. 09/793,402 on June 11, 2001.

X 14. The prior application is assigned of record to Hitachi, Ltd..

X 15. The power of attorney in the prior application is to:

Martin Fleit, Reg. No. 16,900; Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169; Richard R. Diefendorf, Reg. No. 32,390; and Paul A. Schnose, Reg. No. 39,361.

X a. The power appears in the original application papers in the prior application.

     b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.

     c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

X d. Address all future correspondence to:

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300


X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.

     17. A Preliminary Amendment is being filed herewith.

X 18. Return Receipt Postcard.

19. Other \_\_\_\_\_

Respectfully submitted,

  
Gary R. Edwards  
Registration No. 31,824 *#25406*

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